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9 UNITED STATES BANKRUPTCY COURT

10 DISTRICT OF NEVADA

11 In re:

12 USA COMMERCIAL MORTGAGE
13 COMPANY,

14 USA CAPITAL REALTY ADVISORS,
15 LLC,

16 USA CAPITAL DIVERSIFIED TRUST
17 DEED FUND, LLC,

18 USA CAPITAL FIRST TRUST DEED
19 FUND, LLC,

20 USA SECURITIES, LLC,

21 Debtors.

22 Case No. BK-S-06-10725-LBR
23 Case No. BK-S-06-10726-LBR
24 Case No. BK-S-06-10727-LBR
25 Case No. BK-S-06-10728-LBR
26 Case No. BK-S-06-10729-LBR

27 CHAPTER 11

28 Jointly Administered Under Case No.
29 BK-S-06-10725-LBR

30 **Notice to Curtis Clark IRA of Motion
31 For Summary Judgment Regarding
32 Claim No(s). 10725-00589**

33 Affects:

34 All Debtors
35 USA Commercial Mortgage Company
36 USA Capital Realty Advisors, LLC
37 USA Capital Diversified Trust Deed Fund, LLC
38 USA Capital First Trust Deed Fund, LLC
39 USA Securities, LLC

40 **NOTICE IS HEREBY GIVEN** to Curtis Clark IRA that on July 30, 2007, the
41 USACM Liquidating Trust (“USACM”) filed a Motion for Summary Judgment related to
42 Claim No(s). 10725-00589 (the “Motion”). Along with this notice, USACM is serving
43 Curtis Clark IRA with a copy of the Motion.

Curtis Clark IRA asserted secured claim(s) against USA Commercial Mortgage Company. The Motion disputes your assertion of secured claim status and asks the Court to reclassify your claim(s) as a general unsecured claim(s). This is not an objection to your claim as a direct lender or to the security interest you as a direct lender may have in your borrowers' property as collateral. Rather, the Motion argues that your claim(s) are not secured by property of the bankruptcy estate.

NOTICE IS FURTHER GIVEN that any opposition to the Objection/Motion must be filed pursuant to Local Rule 9014(d)(1). **PLEASE DO NOT CONTACT THE CLERK OF THE COURT OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** If you do not want the Court to grant the relief sought in the Objection/Motion, or if you want to explain why you believe your claim(s) are secured claim(s) or otherwise want the Court to consider your views on the Objection/Motion, then you must file an opposition to the Motion with the Court, and serve a copy on the USACM Liquidating Trust **NO LATER THAN AUGUST 17, 2007**. The opposition must state your position, set forth all relevant facts and legal authority, provide relevant documents that support your claim to secured status, and be supported by affidavits or declarations that conform to Local Rule 9014(c).

If you object to the relief requested in the Objection/Motion, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response to the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that the hearing on the Objection/Motion will be held before a United States Bankruptcy Judge, Courtroom No. 1, Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada 89101 on **October 15, 2007** at the

1 hour of 9:30 a.m. The hearing may be continued from time to time with notice to the
2 appearing parties.

3 Dated July 30, 2007.

4 LEWIS AND ROCA LLP

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6 By /s/ RC (#6593)
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